

TABLE OF SIGNIFICANT AMENDMENTS MADE TO DRAFT SWALE BC HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY 2022 – 2027

Policy Section No. and Title	Policy Paragraph and Summary of Changes	Reasons for Amendment
Throughout the whole Policy and Appendices	<p>Throughout the whole Policy and Appendices there have been minor amendments due to typographical errors or to improve grammar.</p> <p>Appendices B, F, L, M, O, P and Q of the existing Policy 2018 – 2021 version have been removed as having been deemed unnecessary or overprescriptive or superseded by legislation and Statutory Standards. This therefore means that Appendices within this draft Policy 2022 – 2027 have been renumbered where applicable</p> <p>Where applicable, paragraphs that appear in the main body of the 2018 – 2021 policy have been moved into a relevant appendices for the sake of clarity and to avoid duplication</p>	The majority of amendments to the policy are to incorporate the National Standards to which all licensing authorities must have regard in carrying out their licensing functions and to provide greater clarity or to use clearer language
1. Introduction	<p>1.1.2 Change to legislation - Inclusion of The Finance Act 2021, Schedule 33 (Licensing Authorities: Tax Information) Regulation 2022</p> <p>1.2.5 Stated aims - Changed for greater clarity</p>	<p>Legislative change</p> <p>For clarity</p>

APPENDIX II

	<p>1.4.2 Length of policy - Clarification as to who can authorise amendments to policy and policy to remain in force for 5 years rather than existing 3 years</p> <p>1.4.4 and 1.4.6 – Amendments to policy. Added as not in existing policy</p> <p>1.5 Data Protection - To provide additional information</p> <p>1.6 Equality, Diversity and Human Rights - To give greater detail regarding the Equality Act 2010 and Human Rights Act 1998</p> <p>1.7 Right to live and work in the UK - Explanation of the requirements to prove the right to live and work in the UK which was not in current policy</p>	<p>Statutory Standards</p> <p>As above</p> <p>As above</p> <p>To provide necessary information</p> <p>Statutory Standards</p>
<p>2. Vehicles</p>	<p>2.1.6 – Unmet demand survey. To provide additional detail as to who would pay for an unmet demand survey</p> <p>2.3.1 – Accessibility. Details of link regarding list of designated wheelchair accessible vehicles on the councils website</p> <p>2.3.3 – Wheelchair Accessible Vehicles (WAV's) – regarding numbers</p> <p>2.4.2 – 2.4.5 and Appendix A Environmental Considerations – updated to</p>	<p>To provide additional clarity where this is necessary</p> <p>To provide additional information</p> <p>To ensure that an acceptable number of WAV's are maintained in the borough</p> <p>To highlight this important issue, improve air quality and to detail future changes to policy and</p>

APPENDIX II

	<p>reflect declaration of Climate and Ecological Emergency and commitment to becoming a carbon neutral borough by 2030, strengthening of vehicle emission limits, setting out dates when the taxi fleet will need to consist of wholly electric vehicles and supporting the council's strategic Air Quality Plan</p> <p>This has included removing the exception of: <i>for short periods on occasions where the weather conditions are extreme either to operate the vehicles heating or air conditioning.</i></p> <p>2.6 Security and CCTV and Protective Screens – CCTV advice amended to give greater clarity. Inclusion of standards requirements for protective screens</p>	<p>vehicle specification in support of the council's carbon neutral commitment and also to guide the taxi trade regarding the taxi fleet and future purchases of vehicles</p> <p>Guidance within Statutory Standards and Information Commissioners Office regarding CCTV. Inclusion of requirement for installation of protective screens not currently included within the policy</p>
<p>3. Drivers</p>	<p>3.1.4 Inserted - Requirement for applicants to be suitably proficient in the English language in terms of oral, reading and written skills</p> <p>3.2.1 Medical Examination – updated to reflect requirement for annual medical checks for all drivers aged 65 or over (instead of 70)</p>	<p>Statutory Standards</p> <p>In accordance with the DVLA Group 2 Medical Standards guidance</p>

	<p>3.3.3 Street Knowledge Test – Insertion regarding not providing specimen tests and the reason why not</p> <p>3.6.4 DBS checks – amended wording regarding DBS update service</p> <p>3.7 Tax checks – new requirement for all applicants for taxi and private hire drivers/ licences and private hire operators licences to register with HMRC and provide council with a tax check code before a licence can be processed. Without a tax check a licence cannot be granted</p>	<p>For clarity</p> <p>Statutory Standards</p> <p>New legislation - The Finance Act 2021, Schedule 33 (Licensing Authorities: Tax Information) Regulation 2022</p>
Appendix A – Vehicle Specifications	<p>2.3 Requirement for all newly licensed vehicles to comply with set emission limits</p> <p>2.4 From 1 April 2023 all Euro 6 diesel and Euro 6 petrol vehicles will be licensed for a maximum period not to exceed 1 April 2030</p> <p>2.5 Date when all new vehicle licence applications must be for vehicles that are ultra low emission (ULEV) vehicles</p>	<p>In support of declaration of Climate and Ecological Emergency and commitment to becoming a carbon neutral borough by 2030</p> <p>As above</p> <p>As above</p>

APPENDIX II

	<p>6.4 Tyres – new paragraph added to require tyres to conform to standards set by the Vehicle Certification Agency for passenger carrying vehicles</p> <p>18 Insurance – vehicle to be temporarily licensed if a cover note rather the full insurance received removed</p>	<p>For public safety</p> <p>We will only licence a vehicle on production of a full insurance certificate</p>
Appendix B – Additional Conditions for Exempted Plates	Renumbered Appendix	N/A
Appendix C – Application Procedures	<p>Renumbered Appendix</p> <p>Vehicles</p> <p>5. Change of existing vehicle from Hackney Carriage to Private Hire or vice versa</p> <p>2.1.5 Documents to be supplied –</p> <p>Reference to EU driving licences amended as drivers licences required have changed since the UK left the EU.</p> <p>Practical driving test for applicants over 70 removed, this was included in the policy but has never been enacted permission for the licensing team to check the DVLA status of a drivers is specifically included within the application form</p>	<p>Removed as practically cannot happen due to the differing colour criteria</p> <p>Because of Brexit</p> <p>Not currently being done</p>

APPENDIX II

	<p>DVLA mandate form removed as permission for the licensing team to check the DVLA status of a drivers is specifically included within the application form</p> <p>DBS certificate requirements amended due to Statutory Standards</p> <p>Foreign national residency removed as this will show up on an original DBS application</p>	<p>No longer necessary</p> <p>Statutory Standards</p> <p>Not necessary</p>
Appendix D – Guidelines Relating to the Relevance of Previous Convictions, Offences, Prosecutions and Cautions	<p>Renumbered Appendix</p> <p>This has been significantly updated throughout to reflect requirements contained within the Statutory Standards</p>	<p>Statutory Standards designed to raise standards and protect public safety by enhancing the fit and proper test</p>
Appendix E – Driver Knowledge Tests	<p>Renumbered Appendix</p> <p>Minor amendments to reflect frequency of tests could be amended due to pandemic regulations and small additions to further explain what happens at the test</p>	<p>For clarity</p>
Appendix F – Private Hire Driver Conditions	<p>Renumbered Appendix</p> <p>No change</p>	<p>N/A</p>
Appendix G – Penalty Points System	<p>Renumbered Appendix</p> <p>1.8 – new paragraph. The Licensing Sub-Committee to have a new enforcement tool</p>	

APPENDIX II

	and may require a driver to undertake additional training to maintain their licence. The Licensing Sub-Committee could also suspend a drivers' licence until such times as the training is successfully completed and proof of the same provided	To provide the Licensing Sub-Committee with additional powers where a driver attends a hearing related to their driving and/or conduct
Appendix H – Code of Good Conduct for Licensed Drivers	Renumbered Appendix 5.1. & 5.2 Dress Code – requirement for only black jeans and black trainers removed and replaced with smart jeans and smart clean trainers	Considered over prescriptive and as long as a driver is clean and smart it does not matter about the colour of their apparel
Appendix I – Private Hire Operator's Conditions	Renumbered Appendix	N/A
Appendix J – Taxi Licensing and Enforcement Policy	Renumbered Appendix	N/A
Appendix K – National Register of Taxi Licence Revocations and Refusals (NR3)	Renumbered Appendix	N/A